

## Message Text

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ORIGIN OES-07

INFO OCT-01 ARA-10 EUR-12 ISO-00 SSO-00 NSCE-00 INRE-00  
ACDA-12 CIAE-00 INR-10 IO-13 L-03 NSAE-00 EB-08  
NRC-05 SOE-02 DODE-00 DOE-11 SS-15 SP-02 CEQ-01  
PM-05 /117 R

DRAFTED BY: : OES/NET/NEP: WMOFFITT  
APPROVED BY: OES/NET: LVNOSENZO  
OES/NET/NEP R DEMING (DRAFT)  
ACDA MS WATSON (DRAFT)  
NRC MR GUHIN (DRAFT)  
EUR/NE MR NEWLIN (DRAFT)  
ARA/ECA MR RONDON (DRAFT)

-----053626 182323Z /61

O R 162347Z MAR 78  
FM SECSTATE WASHDC  
TO AMEMBASSY THE HAGUE IMMEDIATE  
INFO AMEMBASSY BONN  
AMEMBASSY BRASILIA  
AMEMBASSY BRUSSELS  
AMEMBASSY LONDON  
AMEMBASSY VIENNA  
AMEMBASSY BELGRADE

C O N F I D E N T I A L STATE 068396

USEEC ALSO FOR EMBASSY, USIAEA

C O R R E C T E D C O P Y (LINE 5 AND 6 PARA 4 O M I T T E D)

E.O. 11652: GDS

TAGS: ENRG, MNUC, PARM, TECH, NL

SUBJECT: SUPPLY OF ENRICHED URANIUM TO BRAZIL

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REF: THE HAGUE 1391 (NOTAL)

1. BEGIN UNCLASSIFIED. ON MARCH 9, THE NUCLEAR REGULA-  
TORY COMMISSION (NRC) ISSUED A LICENSE AUTHORIZING THE EX-  
PORT TO BRAZIL OF 51,889 KILOGRAMS OF LOW-ENRICHED URANIUM  
FUEL FOR THE ANGRA I NUCLEAR POWER REACTOR. THE LICENSE  
APPLICATION WAS UNDER REVIEW IN THE EXECUTIVE BRANCH FOR

OVER A YEAR BEFORE A FAVORABLE RECOMMENDATION WAS FORWARDED TO THE NRC LAST NOVEMBER. NRC THEN CONDUCTED THOROUGH REVIEW INCLUDING FURTHER INFORMATION FROM AND BRIEFING BY DEPARTMENT BEFORE ISSUING LICENSE IN MARCH.

2. EXECUTIVE BRANCH DECISION TO FORWARD A FAVORABLE RECOMMENDATION WAS BASED IN PART ON A JUDGMENT THAT BRAZIL MET THE IMMEDIATE EXPORT CRITERIA OF THE RECENTLY ENACTED LEGISLATION. THESE CRITERIA INCLUDE:

A. ASSURANCE THAT US-ORIGIN MATERIAL WILL NOT BE USED FOR ANY NUCLEAR EXPLOSIVE DEVICE (GOB NOTE TO IAEA);

B. IAEA SAFEGUARDS TO BE MAINTAINED ON ALL US-SUPPLIED

MATERIAL AND EQUIPMENT (GOB/US/IAEA SAFEGUARDS AGREEMENT IN FORCE);

C. DETERMINATION THAT ADEQUATE PHYSICAL SECURITY WILL BE MAINTAINED ON ALL US-SUPPLIED MATERIAL AND EQUIPMENT (DOE ON-SITE VISIT);

D. US RIGHT OF CONSENT OVER ANY RETRANSFER OF US-SUPPLIED EQUIPMENT AND MATERIAL (GOB-US BILATERAL NUCLEAR COOPERATION AGREEMENT);

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E. US RIGHT OF CONSENT OVER ANY REPROCESSING OF US-SUPPLIED FUEL (GOB-US BILATERAL NUCLEAR COOPERATION AGREEMENT).

3. EXPORT LICENSE DOES NOT REPEAT NOT CONTAIN "SO-CALLED OPEN-ENDED CLAUSE DEALING WITH DISPOSITION OF NUCLEAR WASTE" AS ALLEGED IN DUTCH NEWS REPORTS. US SAFEGUARDS AND CONTROLS OVER NUCLEAR EXPORTS TO BRAZIL ARE NO LESS STRINGENT THAN THOSE OVER TRANSFERS TO OTHER COUNTRIES WITH WHOM WE HAVE BILATERAL NUCLEAR COOPERATION AGREEMENTS AND INCLUDE, AS INDICATED ABOVE, US CONTROL OVER ANY DISPOSITION OF US-ORIGIN SPENT FUEL. END UNCLASSIFIED.

4. BEGIN CONFIDENTIAL. FYI FOR BRASILIA. WHILE NRC HAS APPROVED THIS EXPORT, THE COMMISSION HAS DRAWN ATTENTION TO THE GOB NOTE TO IAEA CONCERNING US REQUIREMENT ON "NO EXPLOSIVE USE" AND TWO COMMISSIONERS HAVE EXPLICITLY TAKEN VIEW THAT RECONFIRMATION OF THIS UNDERSTANDING SHOULD BE OBTAINED FOR FUTURE EXPORTS. DEPARTMENT PLANS TO SEEK RECONFIRMATION OR CLARIFICATION FROM GOB RELEVANT TO ANY FUTURE EXPORT LICENSES. DETAILS TO FOLLOW SHORTLY. END FYI. END

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** URANIUM, SALES, EXPORT LICENSES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 16 mar 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978STATE068396  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** : OES/NET/NEP: WMOFFITT  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
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**Litigation History:**  
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**Office:** ORIGIN OES  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
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**Previous Handling Restrictions:** n/a  
**Reference:** 78 THE HAGUE 1391  
**Retention:** 0  
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**Review Content Flags:**  
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**Review Event:**  
**Review Exemptions:** n/a  
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**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 3299845  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** SUPPLY OF ENRICHED URANIUM TO BRAZIL CONFIDENTIAL CONFIDENTIAL  
**TAGS:** ENRG, MNUC, PARM, TECH, NL, BR  
**To:** THE HAGUE USEEC  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014